

Filed in open court 3/17/05 (EL)

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

| | | |
|---------------------------|---|---------------------------|
| UNITED STATES OF AMERICA, | : | |
| | : | |
| Plaintiff, | : | |
| | : | |
| v. | : | |
| | : | Criminal Action No. 05-19 |
| MARCUS ROBERTS, | : | |
| | : | |
| Defendant. | : | |

MOTION FOR DETENTION HEARING

NOW COMES the United States and moves for the pretrial detention of the defendant, pursuant to 18 U.S.C. § 3142(e) and (f). In support of the motion, the United States alleges the following:

1. **Eligibility of Case.** This case is eligible for a detention order because the case involves (**check all that apply**):

- ☒ Crime of violence (18 U.S.C. § 3156)
- ☐ Maximum sentence life imprisonment or death
- ☐ 10+ year drug offense
- ☐ Felony, with two prior convictions in above categories
- ☒ Serious risk defendant will flee
- ☐ Serious risk obstruction of justice

2. **Reason For Detention.** The court should detain defendant because there are no conditions of release that will reasonably assure (**check one or both**):

- ☒ Defendant's appearance as required

X Safety of any other person and the community

3. **Rebuttable Presumption**. The United States will not invoke the rebuttable presumption against defendant under § 3142(e). The presumption applies because (check one or both):

 Probable cause to believe defendant committed 10+ year drug offense or firearms offense, 18 U.S.C. § 924(c)

 Previous conviction for "eligible" offense committed while on pretrial bond

4. **Time For Detention Hearing**. The United States requests the Court conduct the detention hearing:

 At first appearance

 X After continuance of 3 days

DATED this ^{17 AMB}~~10~~th day of March, 2005.

Respectfully submitted,

COLM F. CONNOLLY
United States Attorney

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April M. Byrd
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